

PETER M. SPETT

ATTORNEY AT LAW

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(917) 715-3823

March 19, 2008

VIA FACSIMILE AND FIRST CLASS MAIL

Thomas F. Cohen, Esq.
The Abramson Law Group, PLLC.
570 Lexington Avenue, 23rd Floor
New York, NY 10022

Re: Jassry Properties LLC v. Nizan, SDNY Index No. 08 Civ. 00536

Dear Mr. Cohen:

I am representing Ran Nizan in the above-referenced matter, and write with respect to the complaint filed in this case, which has come to our attention through a Pacer search of the SDNY docket. As you are aware, a similar lawsuit, Shereshevsky, et al v. Nizan, SDNY Index No. 07 Civ. 9814, was initiated by your office with a summons and complaint signed by Robert Frederic Martin, Esq. With regard to that lawsuit, I notified Mr. Martin by letter dated January 24, 2008 (enclosed herewith) that Ran Nizan does not reside at 609 Columbus Avenue, New York, NY 10024. Despite this notification, your law office again incorrectly alleges that address as Mr. Nizan's residence in the complaint filed by Jassry Properties LLC. As your client and Mr. Martin know full well, Mr. Nizan resides at 109 Boulevard Drive, Danbury, Connecticut.

What I informed Mr. Martin in my January 24, 2008 letter applies to the complaint filed by Jassry Properties LLC as well. The entire jurisdictional basis of plaintiff's complaint does not withstand scrutiny (in addition to other patent defects therein).

Please take note that any attempted service of process by plaintiff in this case at 609 Columbus Avenue, NY, NY is insufficient, and if you seek a default judgment based upon such insufficient service, this letter will be brought to the courts' attention. If you pursue such frivolous action in spite of this letter, we will vigorously defend against your lawsuit and seek sanctions. As your office agreed with respect to the Shereshevsky lawsuit, we expect that you will contact my office directly before you communicate with the court, seek any order to show cause, and/or make any motion with respect to this case.

Sincerely yours,


Peter M. Spett

cc: Mr. Ran Nizan

THE ABRAMSON LAW GROUP

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March 26, 2008

Peter M. Spett, Esq.
235 West 56th Street
Suite 31M
New York, New York 10019

Re: Jassry Properties LLC v. Nizan SDNY Case No. 08 Civ.00536

Dear Mr. Spett:

I am in receipt of your letter of March 19. As you had not appeared in this action, nor in the Shereshevsky action, I am according you the normal courtesy of a response to your letter.

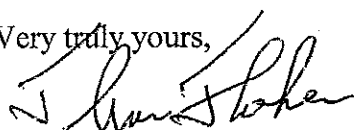
You are entitled to your opinion on the court's jurisdiction over your client. The process server interviewed at least one building employee at 609 Columbus Avenue who confirmed that Mr. Nizan had an apartment there. We consider it no small coincidence that an internet search disclosed that Efrat Nizan resides at the Columbus Avenue address.

Similarly, the process server in Connecticut went to 109 Boulevard Drive in Danbury. A workman who was present advised that Mr. Nizan had sold the home, and believed that he had moved somewhere in the vicinity but did not know where.

After obtaining this information, the process server checked with the post office and was told that apparently Mr. Nizan still gets mail at 109 Boulevard Drive, i.e. no forwarding address.

As your client has otherwise made himself unavailable, we will proceed to apply for entry of a default judgment in both cases accordingly, unless you agree to accept service for Mr. Nizan.

Very truly yours,



Thomas F. Cohen

PETER M. SPETT

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April 2, 2008

VIA FACSIMILE AND FIRST CLASS MAIL

Thomas F. Cohen, Esq.
The Abramson Law Group, PLLC.
570 Lexington Avenue, 23rd Floor
New York, NY 10022


Re: Jassry Properties LLC v. Nizan, SDNY Index No. 08 Civ. 00536

Dear Mr. Cohen:

In response to your letter of March 26, 2008, my client stands by all the assertions made in my previous correspondence to you in this case and to Mr. Martin in the case of Shereshevsky, et al v. Nizan, SDNY Index No. 07 Civ. 9814, including, without limitation, that he resides at 109 Boulevard Drive, Danbury, Connecticut and that he has not been properly served in either case.

Nonetheless, without waiver of and subject to any and all of my client's rights and defenses, which are reserved, my client has authorized me to accept service on his behalf for both actions. Accordingly, you may serve the summons and complaint upon me for each of those cases, after which time we will defend against their frivolous allegations. If you have any questions, please contact me.

Sincerely yours,


Peter M. Spett

cc: Robert Frederic Martin, Esq.
Mr. Ran Nizan

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May 16, 2008

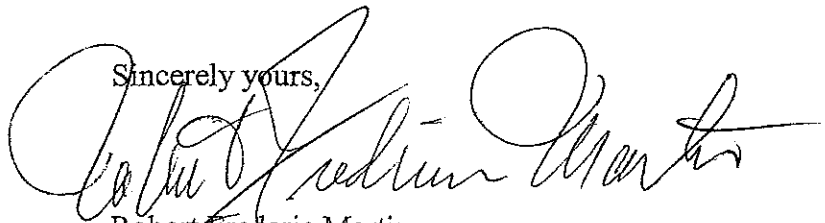
Peter M. Spett, Esq.
235 West 56th Street – Suite 31M
New York, New York 10019

Re: Jassry Properties LLC v. Nizan,
Southern District of New York, 08 CV 00536
Shereshevsky v. Nizan, Southern District of New
York, 07 CV 9814

Dear Mr. Spett:

In accordance with the understanding reached pursuant to your letter to Mr. Cohen of April 2, 2008, and in the course of discussions at the pre-trial conference on May 12, 2008, we enclose copies of the Summonses and Complaints in these actions as constituting service thereof.

Sincerely yours,

A large, stylized handwritten signature in black ink, appearing to read 'Robert Frederic Martin'.

Robert Frederic Martin

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May 21, 2008

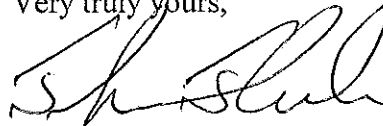
Peter M. Spett, Esq.
235 West 56th Street
Suite 31M
New York, New York 10019

Re: Jassry Properties LLC vs. Nizan
Civil Action No. 08 CIV00536
(JSR)

Dear Mr. Spett

Robert Martin sent you a copy of the Summons and Complaint in the above matter, on May 16. I assume you have received it. Please be advised that an initial pretrial conference has been scheduled for May 27, 2008 at 11:00 a.m. before Judge Rakoff in courtroom 14B, in the Federal Courthouse at 500 Pearl Street. I would appreciate receiving your notice of appearance in advance thereof.

Very truly yours,



Thomas F. Cohen

TFC:jf
Appel ltr re Jassry v Nizan 5.21.08